



# DRIVING RESPONSIBILITY

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## Problem Driver Pointer System

The Problem Driver Pointer System (PDPS) is a federally mandated program which requires Tennessee to do a national computer check **before** issuing a driver license. If you apply for a Tennessee license — whether it is your first license here, or some other transaction such as a renewal — and you have a problem in another state, we cannot issue you a license until the matter is resolved.

The national computer listing contains names and limited other identifying information about individuals whose licenses have been canceled, denied, revoked, or suspended, or who have been convicted of certain serious traffic violations. If you do have a problem in another state, the examiners will provide you the name of the state reporting the problem and a telephone number you can use to contact that state to clear your record there.

Please Note: To find out specific information about what the other state has reported to the PDPS system, you have to call the other state. Tennessee does not have this information. We are only provided with the fact that the other state has reported a problem.

## Losing Your Privilege To Drive

In Tennessee, a driver license may be revoked or suspended for the following offenses:

1. Driving under the influence of alcohol or drugs, including implied consent
2. Allowing unlawful use of a driver license, including fraudulently altering a driver license or allowing another individual to use your license or identification
3. Mental or physical difficulties
4. Leaving the scene of a personal injury or fatal accident; failure to stop and render aid in an automobile accident
5. Perjury, or giving false information on the use or ownership of an automobile, or for the issuance of a driver license
6. A felony that involves the use of an automobile
7. Evading arrest while operating a motor vehicle
8. Manslaughter/vehicular homicide involving the operation of an automobile
9. Two (2) reckless driving violations within twelve (12) months
10. Drag racing
11. Habitual offenders of moving traffic violation
12. Unsatisfied judgment resulting from the negligent operation of a motor vehicle
13. Purchasing or possessing any alcoholic beverage if 18-20 years old
14. Failure to comply with child support requirements
15. Driving a motor vehicle away from a gas station without paying for dispensed gas or diesel fuel.

16. Failure to show evidence of financial responsibility to officer when involved in an accident or charged with a moving violation.

In addition, persons under the age of 18 may lose their privileges for:

- Convictions of any drug or alcohol offense, whether or not the offense occurred while driving;
- Dropping out of school (which is defined as having ten consecutive or 15 total days in a semester of unexcused absences);
- Failure to make satisfactory progress in school (which in general means passing three subjects per grading period); or
- Weapons violations

Finally, commercial motor vehicle operators have separate rules and regulations governing their commercial driver licenses (CDL's) which can cause them to lose their driving privileges. These are discussed in the CDL Study Manual.

**WHENEVER A DRIVER LICENSE IS SUSPENDED OR REVOKED, IT MUST BE TURNED IN TO THE DEPARTMENT OF SAFETY WITHIN 30 DAYS OF THE SUSPENSION OR REVOCATION.**

**The license may be mailed to the Tennessee Department of Safety, 1150 Foster Avenue, Nashville, TN 37249-4000. Any Tennessee Highway Patrol Office or Driver License Station can take your license and see that you are given credit for turning it in.**

**FAILURE TO SURRENDER YOUR LICENSE MEANS THAT YOU WILL BE FINED \$75.00 IN ADDITION TO ANY OTHER FINES AND COSTS YOU MAY OWE.**

## Hearings

Before any license is suspended or canceled, the department will notify the licensee in writing of the proposed suspension or cancellation. If your license is about to be suspended or revoked, the department will give you an opportunity for a hearing prior to action, except in cases of final judgments and convictions.

## Non-Resident Violator Compact

Tennessee is a member of the Non-Resident Violator Compact. The compact is an agreement between states to ensure that a person receiving a citation for a traffic violation appears in court or otherwise complies with the terms of the court for the citation.

In a nutshell, this compact means that regardless of where you receive a citation for a traffic violation, you must either appear in court to answer the citation or meet any other

requirement the court may set out to satisfy the citation. If you ignore the citation — whether it was issued for a traffic violation here or in another member state, your driving privileges will be canceled or suspended.

The same consequences apply to non-residents who receive a citation in Tennessee and fails to answer the citation. The suspension remains in effect until the court notifies Tennessee that the citation has been properly disposed of and the proper fees are paid to this department.

## Reinstatements

Steps you need to follow to have your driver license reinstated depend on several factors, including why you lost your license and what else is on your record. To clear your record, you must contact:

**Tennessee Department of Safety  
Financial Responsibility  
1150 Foster Avenue  
Nashville, Tennessee 37210  
Phone: (615) 741-3954, or  
TDD—Telecommunications Device for the Deaf:  
(615) 532-2281  
Email Address: [FinResp.Safety@state.tn.us](mailto:FinResp.Safety@state.tn.us)**

## Driver Improvement Program

The Department of Safety keeps records of traffic violations and accidents for each driver. These records are based on reports forwarded to the department by the courts, and on reports of traffic accidents submitted by investigating officers. Drivers who accumulate twelve (12) or more points within a twelve (12) month period receive a notice of proposed suspension. In an effort to keep drivers aware of the possibility of losing their privilege to drive an advisory letter is mailed to a licensee having 6 to 11 points on their driving record within any 12 months.

A Defensive Driving Course may be attended as an alternative to suspension; however, the Defensive Driving Course may be taken only once in any five (5) year period. After a hearing, the department will take whatever action is necessary to correct and improve poor driving habits by education, re-examinations, placing necessary restrictions on the licensee and probation. Should these steps be unsuccessful, the department will have no other choice than to suspend the person's driving privileges.

The assignment of point values, for various offenses, is designed to impress upon drivers that unless they comply with traffic laws and regulations, they may establish a bad driving record leading to suspension of driving privileges.

## Frequent Traffic Violations

Frequent traffic violations are a most dangerous and costly habit. If you are suspended for frequent violations, upon the completion of the suspension time, before you can receive your regular license, you must pay the appropriate reinstatement fees and establish future proof of financial responsibility (SR-22 Form) with the Department.

**DRIVING WHILE YOUR LICENSE IS SUSPENDED WILL RESULT IN THE EXTENSION OF THE SUSPENSION PERIOD AND IN ALL LIKELIHOOD WILL RESULT IN CRIMINAL PROSECUTION.**

## Restricted Driver Licenses

When a driver license is suspended or revoked, but the driver depends on his or her driving to make a living or to continue schooling, there are certain conditions in which the driver may apply for a restricted driver license. The restricted license permits the driver to operate a motor vehicle for very specific purposes and only such purposes as are spelled out when the license is issued. The procedures for applying for a restricted license depend upon the reason the license was taken away in the first place, as summarized below:

1. **Financial Responsibility:** When a person's license is revoked for failure to provide proof of financial responsibility and they are employed to operate an employer's vehicle, they may apply for an approval letter from the Financial Responsibility Section and pass appropriate tests.
2. **DUI:** After the first conviction for DUI, provided the driver does not have a prior conviction of DUI, or adult driving while impaired within 10 years, or a prior conviction of vehicular homicide as the proximate result of intoxication aggravated vehicular homicide, or vehicular assault, the trial judge may issue an order for a restricted license to go to and from work, attend college full time, drive as part of employment or to attend certain court-ordered events. Persons serving a two year revocation, may after serving the first year, apply for a restricted driver license provided that an ignition interlock device is installed on the motor vehicle for the remaining period of revocation. When applying at the driver license station, these applicants must submit two (2) copies of the court order and proof of insurance (SR-22 from their insurance company), and pass all appropriate tests.
3. **Driver Improvement:** Any person whose driver license has been suspended for frequent traffic violations may obtain this type of license by applying to the Driver Improvement Section of the Tennessee Department of Safety. They will be required to submit their approval letter, present proof of SR-22 insurance and pass appropriate tests.
4. **Implied Consent:** A person whose license has been suspended by the court for Implied Consent may apply to the trial judge for a restricted license to operate a motor vehicle for going to and from work, full-time college and working at his or her regular place of employment. At the time of application, two (2) copies of a court order and proof of SR-22 insurance must be submitted.
5. **Juvenile:** Minors who lose their license because of the Drug Free Youth Act may apply to the trial judge for a restricted license. They must bring two copies of the court order to a driver license station and pass vision, knowledge, and skills tests. Proof of insurance is not required.

## POINTS FOR MOVING TRAFFIC VIOLATIONS AND ACCIDENTS (Table: 5.1)

POINTS	SPEEDING	
3	Where speed not indicated	Construction Zone: 4 pts.
1	1 thru 5 m.p.h. in excess of speed zone	Construction Zone: 2 pts.
3	6 thru 15 m.p.h. in excess of speed zone	Construction Zone: 6 pts.
4	16 thru 25 m.p.h. in excess of speed zone	Construction Zone: 7 pts.
5	26 thru 35 m.p.h. in excess of speed zone	Construction Zone: 7 pts.
6	36 thru 45 m.p.h. in excess of speed zone	Construction Zone: 8 pts.
8	46 m.p.h. and above in excess of speed zone	Construction Zone: 8 pts.
POINTS	MOVING TRAFFIC VIOLATION	
8	Operating without being licensed or without license required for type of vehicle being operated (under suspension)	
8	Driving while license canceled	
8	Reckless endangerment by vehicle — misdemeanor	
8	Adult driving while impaired	
6	Reckless driving	
6	Passing school bus taking on or discharging passengers	
6	1st Offense violation of driver license restrictions	
6	Fleeing law enforcement officer	
5	Leaving the scene of an accident (Property damage only)	
4	Signs and control devices — Failure to obey traffic instructions	
4	Improper passing — Passing where prohibited	
4	Wrong way, side or direction	
4	Failing to yield right of way	
4	Careless or negligent driving	
4	Violation of bumper law	
3	Following improperly	
3	Making improper turn	
3	Speed less than posted minimum	
3	Operating without being licensed or without license required for type of vehicle being operated (not under suspension)	
3	Miscellaneous — Failure to maintain control, improper control, etc.	
2	Failure to signal change of vehicle direction or to reduce speed suddenly	
2	Following emergency vehicles unlawfully	
POINTS	ACCIDENTS	
8	Contributing to occurrence of an accident resulting in the death of another person	
4	Failure to Report Accident	
4	Contributing to occurrence of an accident resulting in bodily injury	
3	Contributing to occurrence of an accident resulting in property damage	

### Physical Or Mental Disabilities

When evidence is received by the department that an individual's ability to drive may be affected by a physical or mental disorder, the licensee will be required to submit within twenty (20) days of notification, a medical certificate from a competent doctor stating the effects of the illness or disability on the individual's ability to safely operate a motor vehicle. If the report is unfavorable, the driving privilege will be suspended until the condition improves.

### Re-Examination Of Drivers

If there is evidence a licensee's ability to safely operate a motor vehicle is questionable, he or she may be directed to report to the nearest Driver License Station and submit to a complete driver examination. Appropriate corrective action may be directed and certain restrictions (should they be required) may be placed on the license.

**NOTE: Failure to respond to departmental requests for a medical certificate or submission to a driver license examination within the prescribed time will result in the suspension of the driving privilege.**

### Financial Responsibility

The purpose of this law is to protect you and the public from financially irresponsible drivers who become involved in an accident, as well as from drivers who have repeated violations and disregard of the law.

The best way to protect yourself and your driver license would be to have adequate insurance to cover death, bodily injury, and property damage.

First, a few definitions:

- *Liability insurance* provides coverage for damages you cause to other persons.
- *Collision insurance* provides coverage for damages sustained by your vehicle.
- *Uninsured motorist insurance* provides for coverage for the damages uninsured persons cause you.

Collision insurance is not required by law. However, the Financial Responsibility Law requires drivers to produce evidence of financial responsibility to the officer when charged with a moving violation or involved in a motor vehicle accident, without regard to apparent or actual fault. Evidence of financial responsibility presented to the officer

can be in the form of a declaration page of your insurance policy, an insurance binder, an insurance card from an insurance company authorized to do business in Tennessee, a certificate issued by the Commissioner of the Department of Safety stating that a cash deposit or bond in the amount required by statute has been paid or filed with the Commissioner, or proof of qualification as a self-insurer as provided by statute. If unable to present evidence and convicted on the charge of failure to show evidence of financial responsibility, your driving privileges will be suspended. Before reinstatement of your driving privileges, you would be required to submit evidence of financial responsibility along with any other requirements.

## Reporting Accidents

Drivers must notify local law enforcement officials of any accident involving death, injury, or property damage over fifty dollars (\$50).

In addition, certain accidents — called “reportable accidents” — must be reported to the Tennessee Department of Safety. These include any accident within this State in which any person is killed or injured, or in which damage to the property of any one person, including oneself, is in excess of four hundred dollars (\$400.00).

Regardless of who is to blame, the operator and/or owner of a vehicle involved in a reportable accident in this state must file a report of the accident within 20 days to the Tennessee Department of Safety. The accident report forms can be obtained at any Highway Patrol office or from your local police. Failure to report an accident may result in suspension of your driving and registration privileges.

If you contribute to a reportable accident and a claim is filed with the Department of Safety by the other party, you must also do one of these three things: (1) Show proof you had liability insurance at the time of the accident; (2) obtain notarized releases from all parties that file claims with the department; or (3) post cash or corporate surety bond with the department for the amount of damages sustained by other parties. **IF YOU DO NOT COMPLY WITH THESE REQUIREMENTS YOU WILL HAVE YOUR DRIVING AND REGISTRATION PRIVILEGES REVOKED.**

If your driving privileges are revoked due to a conviction or failure to file security after an accident, in addition to all other requirements you must have a liability insurance carrier file an SR-22 Form with this department before your privileges can be reinstated.

## Traffic Accidents

**If You Are Involved In An Accident** — STOP! The law requires drivers of vehicles involved in an accident to stop immediately at the scene, or as close to the scene as possible without obstructing traffic. Notify the police immediately.

After stopping your vehicle, give your name, address, driver license number, and vehicle registration number to the other driver, and ask him for the same information.

Remain calm and stay at the accident scene. Don’t blame

other people or accept blame, and don’t discuss the accident. Wait for the law enforcement officer and answer all questions truthfully and calmly.

As discussed above, you must report the accident to the Department of Safety if it involved death, personal injury, or property damage in excess of \$400 to any one person. They must be completely filled out and filed within 20 days of the accident. If the driver sustained an injury and cannot complete the report, it can be filed by a passenger, or by the owner. If the accident involved an unattended vehicle or a domestic animal, and you cannot locate the owner, report the accident to the police.

**If You Arrive First At An Accident Scene** — If you can help, park your car off the road and turn on your emergency flashers.

If you have them, warn oncoming traffic with flares so that cars approaching the accident scene will not strike the wrecked vehicle.

Have someone notify the police.

Turn off the ignition in the damaged vehicle to prevent a fire. If the car is on fire, help the people out and take them away from the vehicle to prevent further injury in the event of an explosion.

If someone is pinned under a wrecked car, don’t try to lift it unless you have enough strong people available to help, and not until after you have checked to make sure that no one will be pinned under the other side. Generally, unless you know what you are doing it is best to wait for the police and emergency squad to free crushed or pinned victims.

If you are not the first at an accident scene and your assistance is not needed, drive on. Do not slow down or stop just to satisfy your curiosity. Move on so that you do not interfere with the arrival of the police and emergency equipment.

**Emergency First Aid** — Generally, medical assistance should be given only by properly trained persons. However, you may find yourself in a situation where immediate assistance is unavailable and you may have to help the injured victims. In these cases, remember these basic first aid rules:

Unless absolutely necessary because of the danger of fire or some other hazard, avoid moving the injured person. If he must be moved, get help and try not to change the position in which he was found. If possible, cover him with coats or blankets to keep him warm. Never lift a victim by holding him under the shoulder (armpits) and knees.

If a victim appears to have a broken back or a broken neck, and you bend him forward or sit him up, you may cut his spinal cord and paralyze him permanently.

Control excessive bleeding with thick cloth pads, as clean as possible, applied with pressure by hand or by bandaging.

Cover burns with clean cloths to reduce the pain. Apply no ointments. Do not offer the injured anything to drink.

If the injured person does not seem to be breathing, attempt to revive breathing through emergency artificial respiration.